

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES JOHN GULCH,

Petitioner,

Case No. 1:07-cv-1205

v.

Honorable Wendell A. Miles

MARY BERGHUIS et al.,

Respondents.

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**JUDGMENT**

In accordance with the Opinion entered this day:

**IT IS ORDERED** that Petitioner's application for habeas corpus relief be **DISMISSED** with prejudice as frivolous pursuant to Rule 4 of the Rules Governing § 2254.

**IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED** because a reasonable jurist could not conclude either that the district court erred in dismissing the petition or that the petitioner should be allowed to proceed further. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

Dated: December 21, 2007

/s/ Wendell A. Miles

Wendell A. Miles

Senior United States District Judge